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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,878	04/20/2004	Yasuhiko Uchida	ITECP015	5596
25920 7590 11/27/2007 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085				
EXAMINER BECKLEY, JONATHAN R				
ART UNIT		PAPER NUMBER		
4178				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/828,878

Applicant(s)

UCHIDA ET AL.

Examiner

Jonathan R. Beckley

Art Unit

4178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date all

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-6, and 8-13** are rejected under **35 U.S.C. 102(b)** as being anticipated by **Morag (U.S. Patent Number 6,324,545 B1)**.

3. Regarding **Claim 1**, Morag teaches a print job creation apparatus that creates a print job (**Column 1, lines 41-43**), which includes layout of at least one image in a template having at least one image integration area to integrate an image therein (**Column 7, lines 17-23; Column 8, lines 7-17**), said print job creation apparatus comprising: a template selection module that selects a template in response to a user's template selection instruction (**Column 8, lines 7-17 and 22-25**); a priority order setting module that sets a priority order of at least one image integration area included in the selected template, based on an arrangement of the at least one image integration area (**Column 9, lines 13-22, Column 10, lines 49-59**); a built-in image selection module that selects at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction (**Column 7, lines 41-42**); and an image integration module that integrates the at least one selected built-in image into the at least one image integration area of the selected template in the priority order

Art Unit: 4178

set by said priority order setting module, in response to the user's image integration instruction (**Column 7, lines 39-40**).

Regarding **Claim 2**, Morag further discloses the priority order of the at least one image integration area according to a positional sequence of an upper end of each image integration area in the selected template (**Column 9, lines 13-22, Column 10, lines 49-59**).

Regarding **Claim 3**, Morag further discloses the priority order of the at least one image integration area according to a positional sequence of a left end of each image integration area in the selected template (**Column 9, lines 13-22, Column 10, lines 49-59**).

Regarding **Claim 4**, Morag further discloses the template is prepared by setting at least one transparent area as the image integration area in an original template image, which has no image integration area (**Column 9, lines 49-53**), and said priority order setting module sets the priority order of the at least one image integration area, based on an arrangement of the at least one transparent area in the original template image (**Column 9, lines 45-48**).

Regarding **Claim 5**, Morag further discloses the template is prepared by combining an original template image, which has no image integration area, with at

least one area display image, which defines the at least one image integration area, and said priority order setting module sets the priority order of the at least one image integration area, based on the at least one area display image (**Column 10, lines 49-59**).

Regarding **Claim 6**, Morag further discloses the area display image is used to set a transparent area corresponding to the image integration area in the original template image (**Column 9, lines 45-53**).

Regarding **Claim 8**, Morag further discloses an image replacement module that, in response to the user's selection of one image integration area in the template with a built-in image currently placed therein by said image integration module and an image to be newly integrated into the selected image integration area, replaces the built-in image currently placed in the selected image integration area with the selected image (**Column 8, line 52 – Column 9, line 2**).

Regarding **Claim 9**, Morag further discloses a print service selection module that selects one print service among multiple print service options, in response to the user's operation (**Column 9, lines 54-67**); and a template storage module that stores available templates corresponding to each of the multiple print service options (**Column 12, lines 37-34**), wherein said template selection module displays a list of available templates corresponding to a print service selected by said print service selection module, among

Art Unit: 4178

all the templates stored in said template storage module, to allow selection of a desired template (**Column 12, lines 27-47**).

Regarding **Claim 10**, Morag further discloses the multiple print services include at least one of an enlargement printing service, a digest printing service, a calendar printing service, a postcard printing service, a photo name card printing service, an ID photograph printing service, a seal printing service, a label printing service, and an album printing service (**Column 1, lines 41-51**).

Regarding **Claim 11**, Morag teaches A print job creation method that creates a print job (**Column 1, lines 41-43**), which includes layout of at least one image in a template having at least one image integration area to integrate an image therein (**Column 7, lines 17-23; Column 8, lines 7-17**), said print job creation method comprising the steps of: (a) selecting a template in response to a user's template selection instruction (**Column 8, lines 7-17 and 22-25**); (b) setting a priority order of at least one image integration area included in the selected template, based on an arrangement of the at least one image integration area(**Column 9, lines 13-22, Column 10, lines 49-59**); (c) selecting at least one image as a built-in image to be integrated into the selected template, in response to the user's image selection instruction (**Column 7, lines 41-42**); and (d) integrating the at least one selected built-in image into the at least one image integration area of the selected template in the priority order set

Art Unit: 4178

in said step (b), in response to the user's image integration instruction(**Column 7, lines 39-40**).

Regarding **Claim 12**, Morag further discloses step (b) sets the priority order of the at least one image integration area according to a positional sequence of an upper end and a positional sequence of a left end of each image integration area in the selected template (**Column 9, lines 13-22, Column 10, lines 49-59**).

Regarding **Claim 13**, Morag further discloses the step of: in response to the user's selection of one image integration area in the template with a built-in image currently placed therein in said step (d) and an image to be newly integrated into the selected image integration area, replacing the built-in image currently placed in the selected image integration area with the selected image (**Column 8, line 52 – Column 9, line 2**).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 7** is rejected under **35 U.S.C. 103(a)** as being unpatentable over obviousness by **Morag (U.S. Patent Number 6,324,545 B1)**.

6. Regarding **Claim 7, Morag** does disclose the generation of images by computer (**Column 1, lines 15-16**). These images would be known to one of ordinary skilled in the art as binary images.

However, **Morag** does not directly disclose the area display image is a one-pixel-one-bit image having one-bit information for each one pixel, which represents either a bit-on or a bit-off to show inclusion into or exclusion from an image integration area.

Therefore it would have been obvious to one of ordinary skilled in the art at the time the invention was made to understand that when images to be displayed are generated by a computer or processor, that in order to do so, one would be using the teachings and knowledge of binary images on a computer.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R. Beckley whose telephone number is 571-270-3432. The examiner can normally be reached on Mon-Fri: 7:30-5:00 EST (Alternate Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on 571-272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. R. B. /
/Jonathan R Beckley/
Examiner, Art Unit 4178

11/15/07

/Hai Tran/
Supervisory Patent Examiner, Art Unit 4178